



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Branch (1145b)
Post Office Box 6898
Elmendorf AFB, Alaska 99506-0898

PUBLIC NOTICE DATE: 23 September 2005

EXPIRATION DATE: 24 October 2005

REFERENCE NUMBER: POA-1976-144-P

WATERWAY NUMBER: Sitka Harbor 64

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: City and Borough of Sitka, 100 Lincoln Street, Sitka, Alaska, POC John Flory, Public Works Project Engineer (907) 747-1829

LOCATION: Old Thomsen Harbor, Section 35, T. 55 S., R. 62 E., Copper River Meridian at Sitka, Alaska. [Latitude 57.0569°N, Longitude 135.3486°W]

PURPOSE: The purpose of the work is to replace the internal structures of the old harbor facility and remove a submerged bedrock obstruction.

WORK:

Removal of the existing marina facility, which includes docks, piers, access ramp and pilings.

Proposed construction of a new elevated access pier 12 foot wide by 24 foot long with associated pilings, a 7 foot by 80 foot covered aluminum gangway, and a 20 foot by 24 foot floating dock.

Proposed placement of new main pier and finger floats, and approximately 87 steel pilings, as listed on Sheet 3 of 6 of drawings. Blasting would also be utilized in socketing some of the pilings. The applicant has not specified how many pilings would require blasting but has provided on Sheet 3 of 6, potential locations.

Proposed installation of a submerged water line. Dredge approximately 65 cubic yards of native materials from an 85 foot by 5 foot wide and six foot deep trench. Excavated materials shall be removed from the waterway and stockpiled at an upland location. Discharge approximately 15 cubic yards of bedding materials around the pipe and backfill trench with approximately 50 cubic yards of native materials previously dredged.

Proposed blasting of a rock outcrop approximately 200 foot by 250 foot area and then dredge approximately 50 cubic yards from the area to an approximate elevation of -13 feet Mean Low Low Water.

ADDITIONAL INFORMATION:

The applicants agent is PND, Inc., 3220 Hospital Drive, Suite 200, Juneau, Alaska 99801 (POC) Andrew Schicht 907-586-2093

MITIGATION: As a result of project planning the applicant has incorporated into the proposed project the following mitigation efforts to reduce impacts to the aquatic environment: The applicant moved the initial location of the proposed submerged utility line away from the existing eelgrass beds. The proposed project's new dock alignment moves the docking away from the eelgrass beds to avoid the need to dredge.

WATER QUALITY CERTIFICATION: In addition to the trenching backfill, the blasting of the bedrock materials constitutes a Section 404 discharge of materials. A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRs) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There is a registered or eligible property in the vicinity of the worksite. It has been designated **SIT-00211 (Brady Sawmill Site)**. Because it has been determined to be outside of the project area, no further action is required. Consultation of the AHRs constitutes the extent of cultural resource investigations by the District Engineer at this time. Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: No threatened or endangered species are known to use the immediate project area.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. *et seq* and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity (blasting) may adversely affect EFH. The proposed work may affect approximately 11 acres (harbor interior) of EFH for juvenile/adult salmon, and crab. This Public Notice initiates consultation requirements with the NMFS under the MSFCMA. We have insufficient information at this time to assess the cumulative effects of the proposed work on EFH, but cumulative effects will be considered in our final assessment of the described work. Any conservation recommendations regarding EFH for federally managed fish will also be considered in our final assessment of the described work. This proposed project may also adversely affect associated species such as major prey or predator species which are not covered by Fishery Management Plans.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Mr. John Klutz at (907) 753-2720, toll free from within Alaska at (800) 478-2712, or by email at john.r.klutz@poa02.usace.army.mil if further information is desired concerning this notice.

AUTHORITY: This permit will be issued or denied under the following authorities:

- 1.) Perform work in or affecting navigable waters of the United States - Section 10 Rivers and Harbors Act 1899 (33 U.S.C. 403),
- 2.) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

401 Certification Program

Non-Point Source Water Pollution Control Program

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No POA-1976-144-P, Sitka Harbor 64, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
410 Willoughby Avenue
Juneau, Alaska 99801-1795
Telephone: (907) 465-5321
FAX: (907) 465-5274

FRANK H. MURKOWSKI, GOVERNOR

STATE OF ALASKA

OFFICE OF THE GOVERNOR

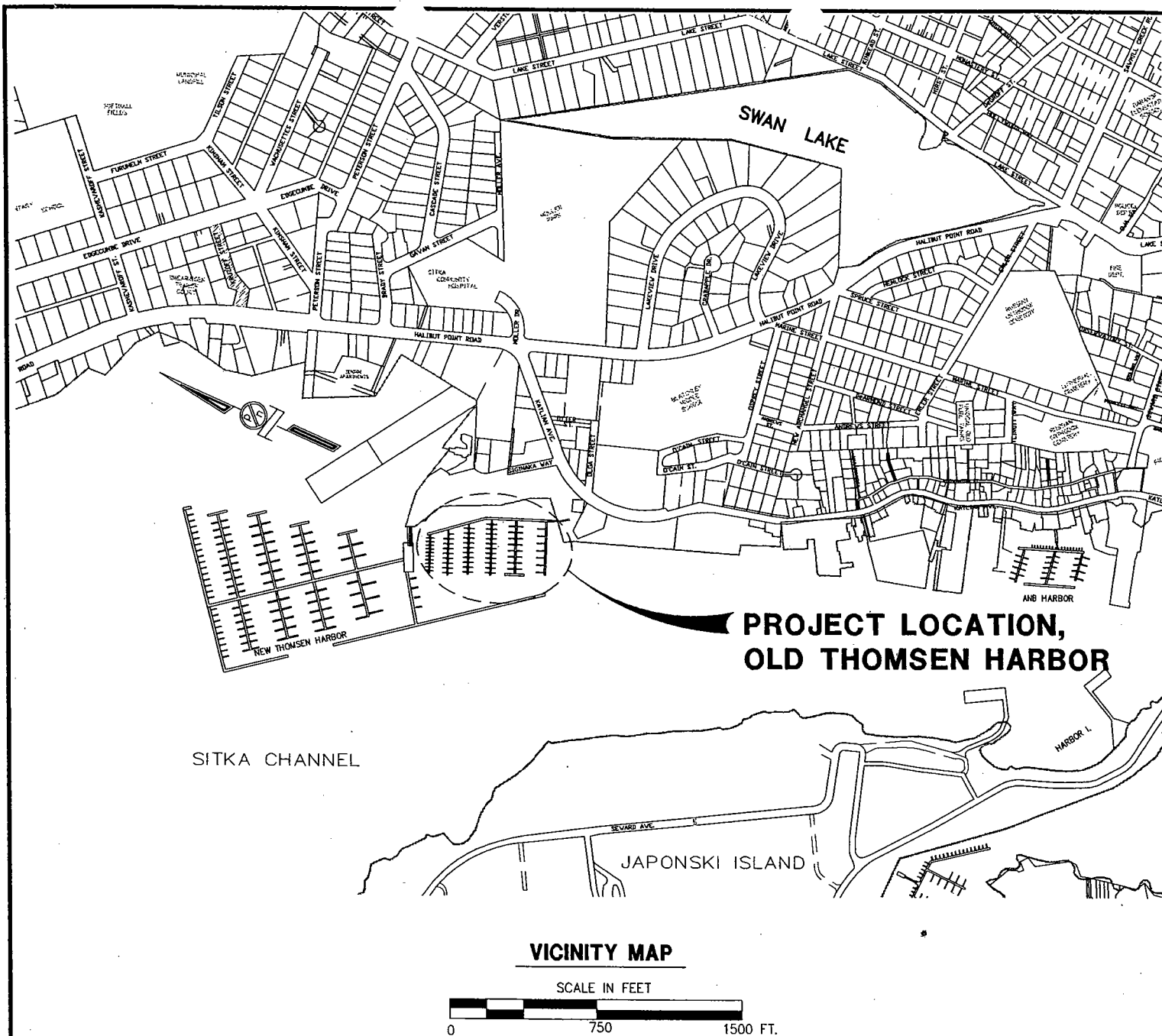
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF PROJECT MANAGEMENT AND PERMITTING

OFFICE OF PROJECT MANAGEMENT AND PERMITTING
302 GOLD STREET, SUITE 202
JUNEAU, ALASKA 99801-1127
PHONE: (907) 465-3562/FAX: (907) 465-3075

NOTICE OF APPLICATION
FOR
CERTIFICATION OF CONSISTENCY WITH THE
ALASKA COASTAL MANAGEMENT PROGRAM

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No **POA-1976-144-P, Sitka Harbor 64**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Office of Project Management and Permitting. For information about this consistency review, contact OPMP at (907) 269-7470 or (907) 465-3562, or visit the ACMP web site at <http://www.gov.state.ak.us/gdc/Projects/projects.html>.



PURPOSE:

RENOVATE AN EXISTING BOAT HARBOR IN ORDER TO IMPROVE PEDESTRIAN SAFETY AND ADDRESS CHANGING FUNCTION AND MOORAGE DEMANDS

VICINITY MAP

CITY & BOROUGH OF SITKA
PUBLIC WORKS DEPT.
100 LINCOLN STREET
SITKA, ALASKA 99835

PROPOSED:

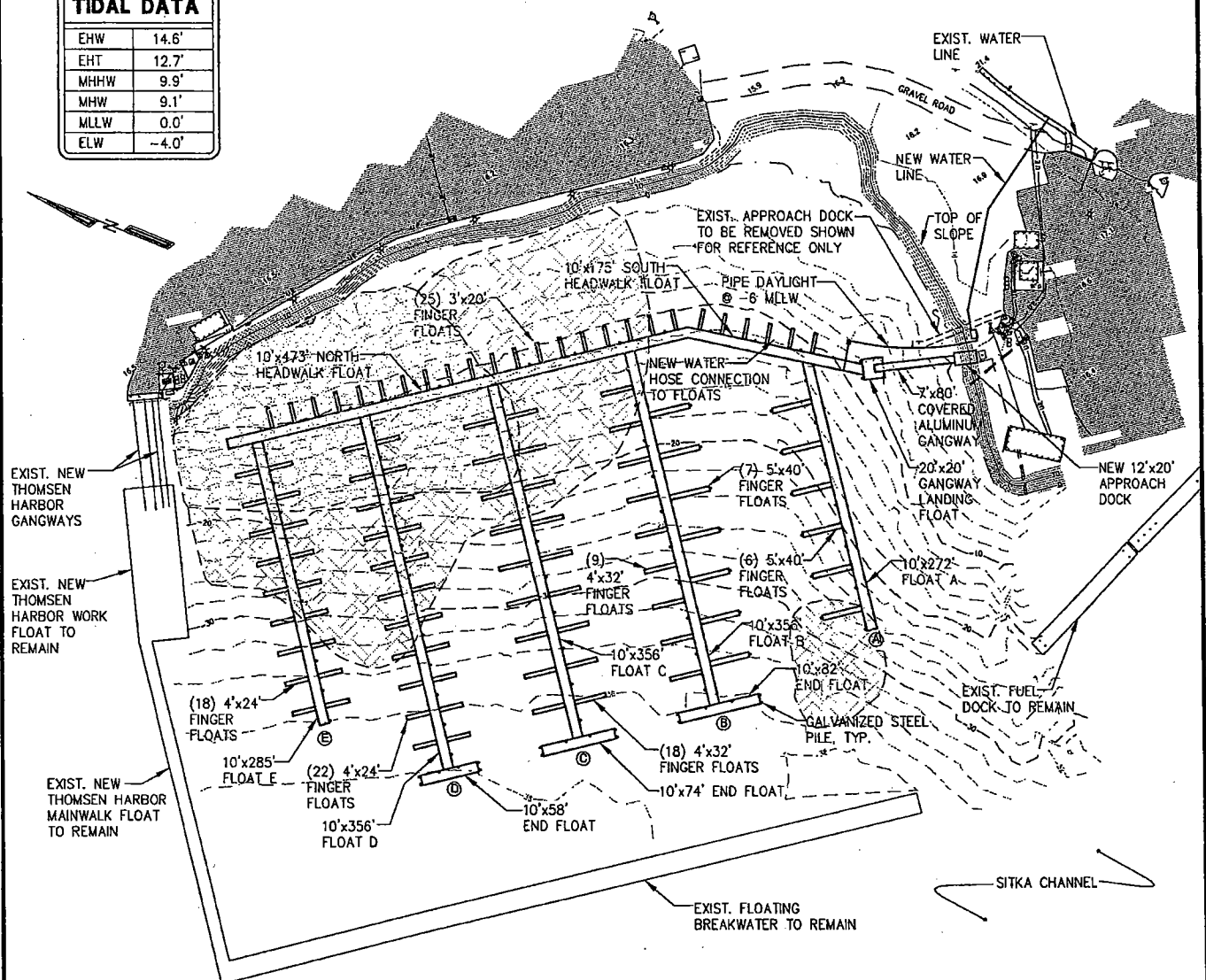
OLD THOMSEN HARBOR REPLACEMENT

IN: SITKA CHANNEL
NEAR: THOMSEN HARBOR
AT: SITKA, ALASKA
APPLICATION BY:

CITY OF SITKA

TIDAL DATA

EHW	14.6'
EHT	12.7'
MHHW	9.9'
MHW	9.1'
MLLW	0.0'
ELW	-4.0'



EXISTING BEDROCK,
PREDRILLED PILE
SOCKETS REQ'D

VARIABLE BEDROCK
CONDITIONS, PREDRILLED
PILE SOCKETS MAY BE
REQ'D

SITE PLAN OF PROPOSED IMPROVEMENTS

SCALE IN FEET
0 150 300 FT.

SUMMARY OF PROPOSED IMPROVEMENTS

10' x 272' FLOAT A	10' x 74' END FLOAT
10' x 356' FLOAT B	10' x 58' END FLOAT
10' x 356' FLOAT C	20' x 20' GANGWAY LANDING
10' x 356' FLOAT D	12' x 20' PILE SUPPORTED TIMBER
10' x 285' FLOAT E	APPROACH DOCK
10' x 175' SOUTH HEADWALK FLOAT	7' x 80' COVERED ALUMINUM GANGWAY
10' x 473' NORTH HEADWALK FLOAT	(87) GALVANIZED STEEL PILES
(13) 5' x 40' FINGER FLOATS	D.I.P. & HDPE DOMESTIC WATER LINE,
(27) 4' x 32' FINGER FLOATS	APPROX. 85 LF BURIED WITHIN TIDAL
(40) 4' x 24' FINGER FLOATS	ZONE
(25) 3' x 20' FINGER FLOATS	TOTAL QUANTITY NEW FLOATS = 36750 SF
10' x 82' END FLOAT	

PURPOSE:

RENOVATE AN EXISTING BOAT HARBOR IN
ORDER TO IMPROVE PEDESTRIAN SAFETY AND
ADDRESS CHANGING FUNCTION AND MOORABLE
DEMANDS

SITE PLAN OF PROPOSED IMPROVEMENTS

CITY & BOROUGH OF SITKA
PUBLIC WORKS DEPT.
100 LINCOLN STREET
SITKA, ALASKA 99835

PROPOSED:

OLD THOMSEN HARBOR
REPLACEMENT

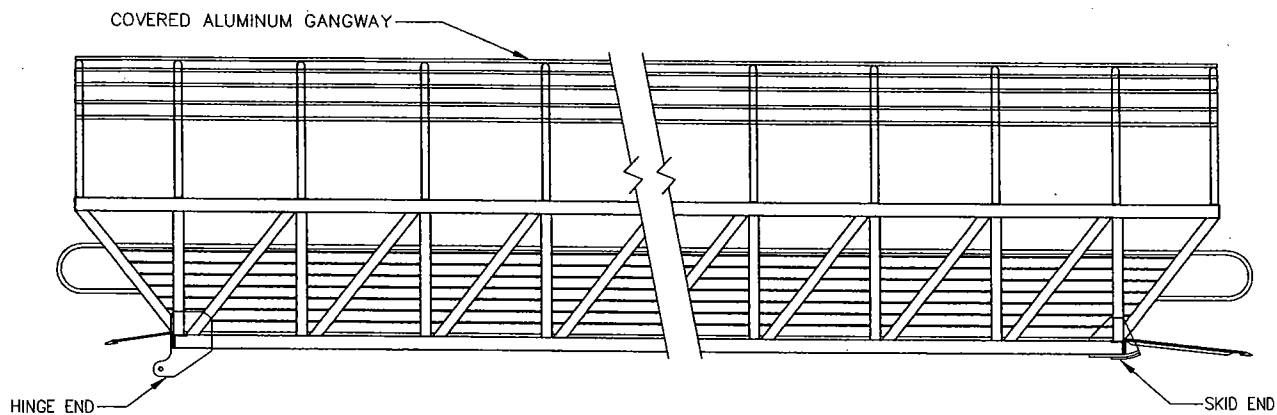
IN: SITKA CHANNEL
NEAR: THOMSEN HARBOR
AT: SITKA, ALASKA
APPLICATION BY:

CITY OF SITKA

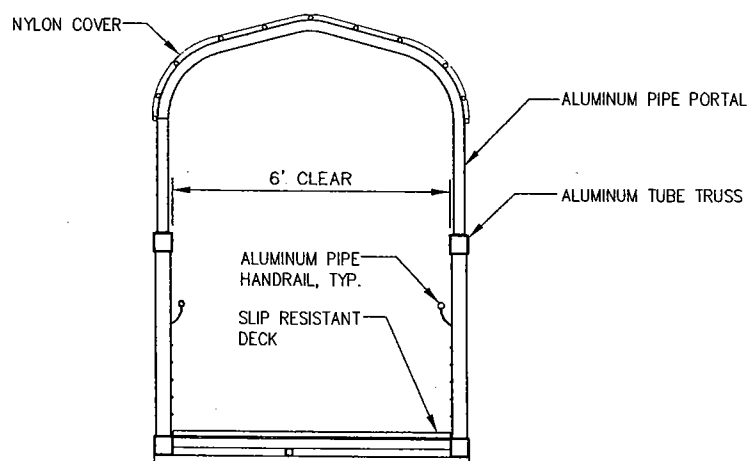
DATE: 09/16/05 SHEET 3 OF 6

DATUM: MLLW = 0.0 ft

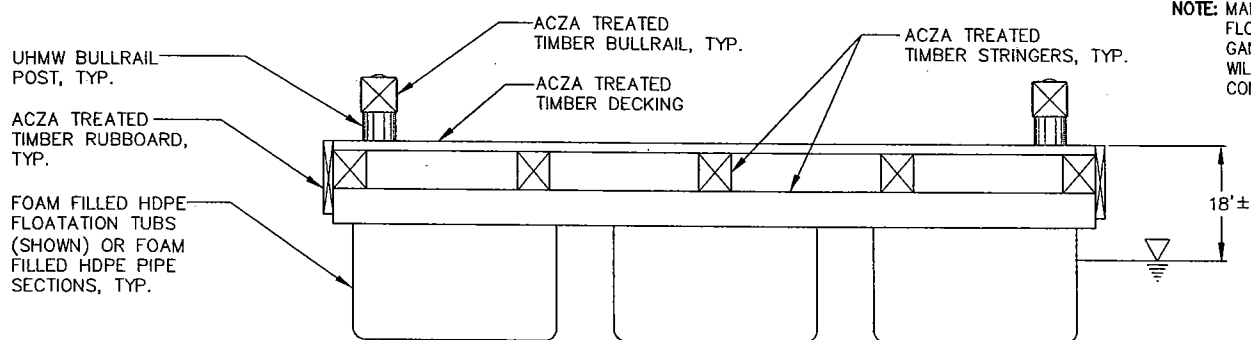
PND#: 052029.01



NEW GANGWAY ELEVATION



TYPICAL NEW GANGWAY SECTION



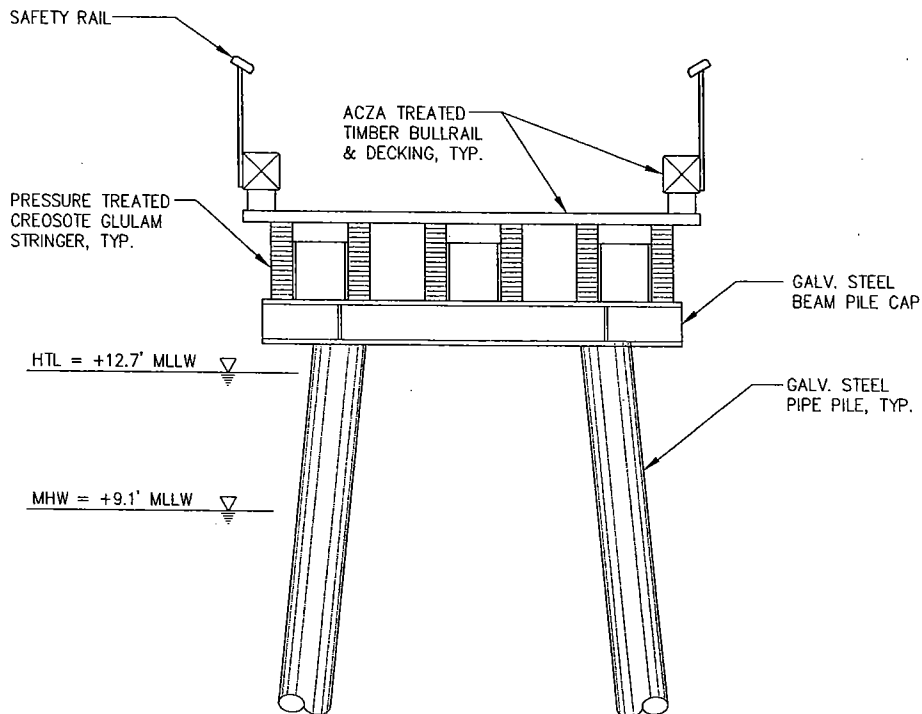
TYPICAL NEW FLOAT SECTION

PURPOSE:
RENOVATE AN EXISTING BOAT HARBOR IN ORDER TO IMPROVE PEDESTRIAN SAFETY AND ADDRESS CHANGING FUNCTION AND MOORABE DEMANDS

GANGWAY AND FLOAT DETAILS

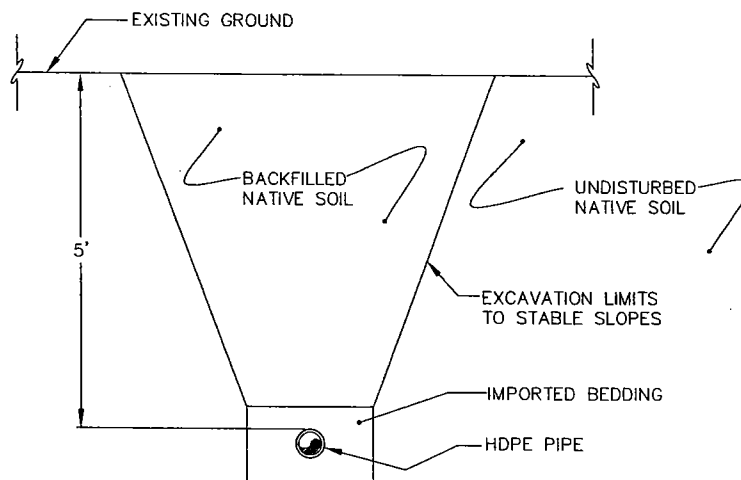
CITY & BOROUGH OF SITKA
PUBLIC WORKS DEPT.
100 LINCOLN STREET
SITKA, ALASKA 99835

PROPOSED:
OLD THOMSEN HARBOR REPLACEMENT
IN: SITKA CHANNEL
NEAR: THOMSEN HARBOR
AT: SITKA, ALASKA
APPLICATION BY:
CITY OF SITKA



NEW APPROACH DOCK SECTION

- NOTES:** 1. EXCAVATED SOIL WILL BE PLACED IN A NEARBY UPLAND AREA UNTIL PIPE LAYING ACTIVITIES ARE COMPLETED
2. SEE NEXT SHEET FOR APPROX. QUANTITIES RESULTING FROM TRENCHING ACTIVITIES.



**TYPICAL WATER LINE TRENCH SECTION
WITHIN TIDAL ZONE**

PURPOSE:

RENOVATE AN EXISTING BOAT HARBOR IN ORDER TO IMPROVE PEDESTRIAN SAFETY AND ADDRESS CHANGING FUNCTION AND MOORAGE DEMANDS

**TYPICAL DOCK SECTION,
TYPICAL TRENCH SECTION**

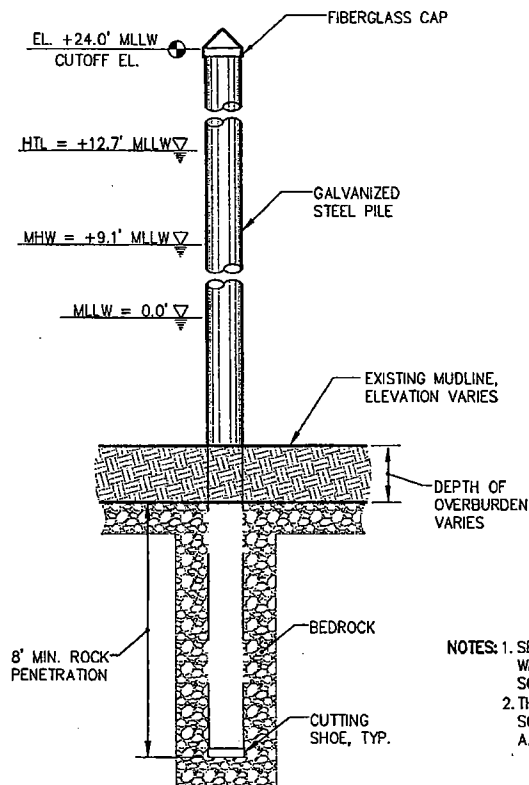
CITY & BOROUGH OF SITKA
PUBLIC WORKS DEPT.
100 LINCOLN STREET
SITKA, ALASKA 99835

PROPOSED:

OLD THOMSEN
HARBOR
REPLACEMENT

IN: SITKA CHANNEL
NEAR: THOMSEN HARBOR
AT: SITKA, ALASKA
APPLICATION BY:

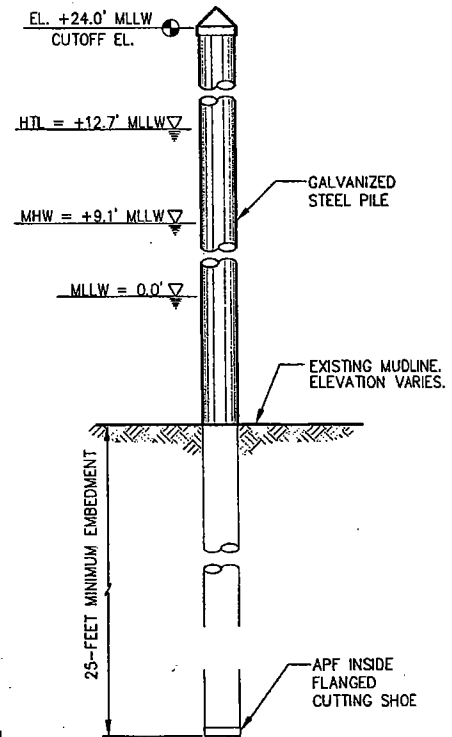
CITY OF SITKA



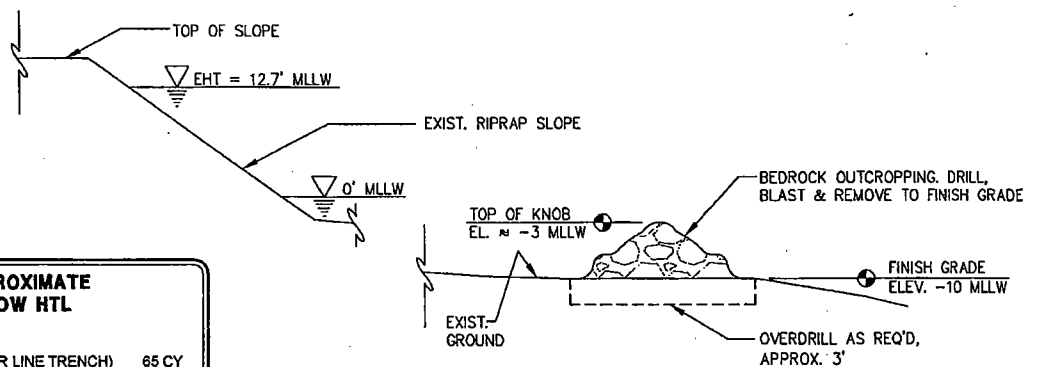
SOCKETED INSTALLATION

- NOTES: 1. SEE SHEET 3 FOR LOCATIONS WHERE BEDROCK & PILE SOCKETING WILL BE REQUIRED.
2. THE FOLLOWING ARE APPROVED SOCKETING TECHNIQUES:
A. DRILL SOCKET, CLEAN OUT HOLE, DRIVE PILE TO BOTTOM OF SOCKET
B. DRILL PILOT HOLE, BLAST TO FRACTURE ROCK, DRIVE PILE THRU FRACTURED ROCK

NEW PILE DETAILS



STANDARD INSTALLATION



A
2

SECTION - BEDROCK OUTCROPPING REMOVAL

SUMMARY OF APPROXIMATE QUANTITIES BELOW HTL

FILL:

BACKFILLED NATIVE SOIL (WATER LINE TRENCH) 65 CY
IMPORTED BEDDING (WATER LINE TRENCH) 15 CY

ROCK EXCAVATION:

BEDROCK OUTCROPPING REMOVAL 50 CY

PURPOSE:

RENOVATE AN EXISTING BOAT HARBOR IN ORDER TO IMPROVE PEDESTRIAN SAFETY AND ADDRESS CHANGING FUNCTION AND MOORABE DEMANDS

PILE DETAILS, BEDROCK OUTCROPPING REMOVAL DETAILS, FILL AND EXCAVATION QUANTITIES

CITY & BOROUGH OF SITKA
PUBLIC WORKS DEPT.
100 LINCOLN STREET
SITKA, ALASKA 99835

DATUM: MLLW = 0.0 ft

PND#: 052029.01

PROPOSED:

OLD THOMSEN HARBOR
REPLACEMENT

IN: SITKA CHANNEL

NEAR: THOMSEN HARBOR

AT: SITKA, ALASKA

APPLICATION BY:

CITY OF SITKA

DATE: 09/16/05 SHEET 6 OF 6